

and by unanimous consent, H. C. R. No. 108 was ordered not printed.

Adjournment

On motion of Senator Moffett the Senate, at 1:45 o'clock p. m., adjourned until 10:30 o'clock a. m. on Monday, May 9, 1955.

FIFTY-EIGHTH DAY

(Monday, May 9, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis

Absent—Excused

Corbin Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Our Father, Thou art the potter; we, the clay. Reveal to us Thy plan for our lives, our families, and our State. Take the broken fragments of our lives, mould and make them into vessels for Thy service, and may we ever remember 'Except the Lord build the house, they labour in vain that build it.' For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 6, 1955, were dispensed with and the Journal was approved.

Leaves of Absence

Senator Weinert was granted leave of absence for today on account of

illness in his family on motion of Senator Hardeman.

Senator Corbin was granted leave of absence on account of important business on motion of Senator Moore.

Senate Resolution 329

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery Odis Anderson, May Clayton, Douglas Crain, Carolyn Deford, Dorothy Helton, Betty Sue Jennings, Mary Kilgo, Jerry Leckie, Stenton Maddox, Lemma Mills, Livy Mills, Tommy Simmons, Margie White, Billy Darden, Thisbie Barnes, Don Brown, who are members of the junior and senior classes of the Hubbard, Texas, High School, and who are accompanied by their sponsor, Mr. W. H. Mowery; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Martin, by unanimous consent, presented the students and Mr. Mowery to the Members of the Senate.

Reports of Standing Committees

Senator Latimer offered the following reports:

Austin, Texas,
May 9, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 29, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

LATIMER, Vice-Chairman.

Austin, Texas,
May 9, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 46, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LATIMER, Vice-Chairman.

Austin, Texas,
May 9, 1955.

Hon. Ben Ramsey, President of the Senate.

We, your Committee on Town and City Corporations, to whom was referred H. B. No. 756, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LATIMER, Chairman.

Senator Lock submitted the following reports:

Austin, Texas,
May 9, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 593, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Vice-Chairman.

Austin, Texas,
May 9, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 811, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Vice-Chairman.

Austin, Texas,
May 9, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 890, have had the same under consideration, and we are in-

structed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Vice-Chairman.

Senator Hardeman submitted the following report:

Austin, Texas,
May 9, 1955.

Hon. Ben Ramsey, President of the Senate.

We, your Committee on State Affairs, to whom was referred S. B. No. 435, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senate Resolution 330

Senator Phillips offered the following resolution:

Whereas, The Senate General Investigating Committee, created by S. R. No. 50, Acts, 53rd Legislature, and whose life was extended by S. R. No. 56, Acts, 54th Legislature, and by S. R. No. 219, Acts, 54th Legislature, will expire on May 10, 1955; and

Whereas, Said committee is presently engaged in conducting an investigation of the alleged irregularities of the administration of the Veteran's Land Board of the State of Texas and of the Veteran's Land Program and has been unable to complete its work within the specified time; now, therefore, be it

Resolved, by the Senate of Texas, That the Senate General Investigating Committee, created by said Senate Resolution No. 50, adopted by the 53rd Legislature and extended to April 15, 1955, by Senate Resolution No. 56, 54th Legislature, and extended to May 10, 1955, by Senate Resolution No. 219, 54th Legislature, be and the same is hereby extended to the sine die adjournment of the 54th Legislature, with such powers and duties as provided in S. R. No. 50, aforesaid, and to take possession of any files, records, papers in any department or agency of the State and to retain the same in its custody until any investigation in which such committee may be engaged or undertaken is completed.

Resolved, That said committee shall also give particular investigation to the other activities and duties and violation of duties of the entire Land Office.

The resolution was read and was adopted.

Record of Votes

Senators Lane and Hardeman asked to be recorded as voting "nay" on the adoption of the above resolution.

Senate Resolution 331

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery twenty-two students from the Ennis, Texas, High School, accompanied by their principal, Mr. W. J. Davis, and Mrs. W. J. Davis; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Martin, by unanimous consent, presented the students and Mr. and Mrs. Davis to the Members of the Senate.

Senate Resolution 332

Senator Fuller offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. and Mrs. Floyd Cruse and their daughter, Fay Lynn, of Port Arthur, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Fuller, by unanimous consent, presented the guests to the Members of the Senate.

Presentation of Guests

Senator Rogers of Travis, by unanimous consent, presented his brother, Bruce F. Rogers, Jr., and son Richard Clyde Rogers of Houston, to the Members of the Senate.

Senate Bill 171 with House Amendments

Senator Ratliff called S. B. No. 171 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Ratliff moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Conference Committee Report on Senate Bill 385

Senator Lock submitted the following Conference Committee report on S. B. No. 385:

Austin, Texas,
May 5, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 385, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

LOCK
LANE
AIKIN
MARTIN
KAZEN

On the part of the Senate.

HEITMAN
SAUL
POOL
OSBORN
REEVES

On the part of the House.

S. B. No. 385:

A BILL TO BE ENTITLED

"An Act creating a conservation dis-

tract under Article XVI, Section 59, of the Constitution comprising the territory of San Augustine County, Texas, to be known as 'San Augustine Water Authority,' for the purpose of providing a source of water supply for irrigation, stock raising, agricultural, municipal, domestic and industrial use and processing, transporting, and distributing the same; providing for a board of directors for the government of said authority; authorizing the authority to do all things necessary to the exercise of the powers herein granted; authorizing the issuance of bonds and providing for payment and security thereof; making applicable to the District Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and certain general laws relating to water control and improvement districts; prescribing the other powers of the authority; providing a saving clause; enacting other provisions relating to this subject; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Under and pursuant to the provisions of Article XVI, Section 59 of the Constitution, there is hereby created a conservation and reclamation district to be known as the "San Augustine Water Authority," hereinafter called the "Authority" which shall be a governmental agency and a body politic and corporate.

Sec. 2. The Authority shall be in San Augustine County, Texas, and shall embrace all of the territory which is contained within the boundaries and limits of San Augustine County, Texas. The creation of such Authority is hereby declared to be essential to the accomplishment of the purposes of Section 59 of Article XVI of the Constitution of the State of Texas.

Sec. 3. The Authority shall have and exercise, and is hereby vested with all of the rights and powers, privileges and duties conferred and imposed by the general laws of this state now in force or hereafter enacted, applicable to water control and improvement districts created under authority of Section 59, Article XVI of the Constitution, but to the extent that the provisions of any such general law may be in conflict or inconsistent with the provisions of this Act, the provisions of this Act shall prevail. All such general laws are hereby incorporated by reference with the same force and ef-

fect as if incorporated in full in this Act.

Sec. 4. (a) All powers of the Authority shall be exercised by a board of five (5) directors, one director to be elected from each Commissioner's Precinct in the County and one at large in said County. Each director shall serve for his term of office as herein provided, and thereafter until his successor shall be elected or appointed and qualified. No person shall be a director unless he resides in and owns taxable property in the Authority. No member of a governing body of any city or town, and no employee of a city or town, nor any employee of any government agency, nor any director or employee of a depository bank shall be a director. Such director shall subscribe to the Constitutional oath of office, and each shall give bond in the amount of Five Thousand Dollars (\$5,000) for the faithful performance of his duties, the cost of which shall be paid by the Authority. A majority shall constitute a quorum, except the letting of construction contracts and the drawing of warrants on the depository paying therefor, which shall require the concurrence and signature of four directors.

(b) Immediately after this Act becomes effective, the County Judge of San Augustine County shall order the holding of an election in the Authority for the purpose of electing the directors. Notice of the election shall be published in a newspaper published in the City of San Augustine one time each week for four (4) consecutive weeks before the election and such notice shall be published in the manner under the provisions of law for the election of County Commissioners. The election order shall state the time, place and purpose of the election, and the County Judge shall appoint a presiding Judge who shall appoint an assistant Judge and two clerks to assist in the holding of the election. Only qualified voters residing in the Authority shall be entitled to vote at said election. The five candidates receiving the highest number of votes shall be declared elected. The returns of the election shall be made to and canvassed by the County Judge who shall enter an order declaring the results of the election. Two of the directors thus elected shall serve until the first Tuesday in April, 1956, and three shall serve until the first Tuesday in April, 1957. The directors who shall serve for the short term and those who shall

serve for the long term shall be determined by lot.

(c) A regular election for the election of directors shall be held on the first Tuesday in April of each year beginning in 1956. Two directors shall be elected in each even numbered year and three in each odd numbered year. The regular election shall be called by the Board of Directors. The Board shall appoint the presiding Judge, who shall appoint an assistant Judge and at least two clerks. Notice shall be given the same as is provided for the first election of directors.

(d) Any candidate for director desiring to have his name printed on the ballot may do so by petition so requesting signed by not less than 25 residents of the Authority who are qualified to vote at the election. Such petition shall be presented to the County Judge for the first election as herein provided and to the Secretary of the Board of Directors for all subsequent elections. The petition shall be presented on such date as will allow not less than thirty (30) full days between the date of presentation and the date of the election.

(e) Any vacancies occurring in the Board of Directors shall be filled for the unexpired term by a majority vote of the remainder of the directors.

(f) Each director shall receive a fee of not to exceed Ten Dollars (\$10.00) for attending each meeting of the Board, and not to exceed Ten Dollars (\$10.00) per day devoted to the business of the Authority and to reimbursement for actual expenses incurred in attending to Authority business, providing that such service and expense are expressly approved by the Board.

Sec. 5. The Board of Directors shall elect from its number a president and a vice-president, and such other officers as in the judgment of the Board are necessary. The president shall be the chief executive officer and the presiding officer of the Board, and shall have the same right to vote as any other director. The vice-president shall perform all duties and exercise all power conferred by this Act upon the president when the president is absent or fails or declines to act. The Board shall also appoint a secretary and a treasurer who may or may not be members of the Board and it may combine these offices. The treasurer shall give bond in such amount as may be required by the Board of Directors. The condition of such bond shall be that he will faithfully account for all

money which shall come into his custody as treasurer of the Authority. The Board shall appoint all necessary engineers, attorneys and other employees. The Board shall adopt a seal for the Authority.

Sec. 6. The Authority within its limits is hereby empowered (a) to develop, construct or purchase dams, reservoirs, underground and other sources of water. The Authority is empowered to construct or to purchase all plants and other facilities necessary or useful for the purpose of providing a source of water supply and storing, processing such water and transporting and distributing it for irrigation, livestock raising, agricultural, municipal, domestic and industrial purposes. The Authority shall at all time have power to develop or purchase additional underground or other sources of water and to improve, enlarge and extend its water system. The Authority is also empowered to make contracts for the purchase of water; (b) in order to preserve and protect the purity of the waters of the State and of the Authority and conserve and reclaim said waters for beneficial use by the inhabitants of the Authority to provide all plants, works, facilities and appliances incident to or helpful or necessary to the collection, transportation, processing, disposal, and control of such waters for agricultural, municipal, domestic and industrial purposes: (c) The Authority is empowered to impound, store, control and conserve the storm and flood waters and the unappropriated flow waters within the limits of the Authority, including but not limited to the storm and flood waters and unappropriated flow waters of Arenosa Creek and Ayish Bayou and the tributaries thereof within and without their watershed by complying with the provisions of Chapter 1, Title 128, Revised Civil Statutes of Texas as amended.

Sec. 7. For the purpose of carrying out any power or authority conferred by this Act, the Authority shall have the right to acquire land and easements, by condemnation in the manner provided by Title 52, Revised Civil Statutes, as amended, relating to eminent domain. The amount of and character of any interest in land or easements thus to be acquired shall be determined by the Board of Directors. In the event that the Authority, in the exercise of the power of eminent domain, or any other power granted hereunder, makes neces-

sary the relocation, raising, rerouting, or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone and telegraph properties and facilities or pipe line, all such necessary relocation, raising, rerouting, changing of grade or alteration or construction shall be accomplished at the sole expense of the Authority.

Sec. 8. Any construction contract or contract for the purchase of materials, equipment or supplies requiring an expenditure of more than Twenty-five Thousand Dollars (\$25,000) shall be made to the lowest and best bidder after publication of a notice to bidders once each week for two weeks before awarding the contract. Such notice shall be sufficient if it states the time and place when and where the bids shall be opened, the general nature of the work to be done, or the material, equipment or supplies to be purchased, and states where and the terms upon which copies of the plans and specifications may be obtained. The publication shall be in a newspaper published in San Augustine County and designated by the Board of Directors. This Section, however, shall not apply to the purchase of any system or part thereof in existence at the time of such purchase.

Sec. 9. (a) For the purpose of purchasing or otherwise providing works, plants, facilities or appliances necessary to the accomplishment of the purposes authorized by this Act, and for the purpose of carrying out any other power or authority conferred by this Act, the Authority is empowered to issue its negotiable bonds payable from revenues of the Authority as are pledged by a resolution adopted by four-fifths (4/5) of the Board at a regular called meeting of the Directors, or by a trust indenture authorized by said Board, or secured by and payable from such revenues.

(b) Such bonds shall be authorized by resolution of the Board of Directors without an election, if payable wholly from revenues, and shall be issued in the name of the Authority signed by the president, attested by the secretary and have the seal of the district impressed thereon or a facsimile seal printed or lithographed thereon. One of the signatures thus required on the bonds may be a facsimile signature but the other signature shall be manual. They shall mature serially or otherwise in not to exceed forty (40) years and may be sold at a price and under terms

determined by the Board of Directors to be the most advantageous reasonably obtainable, provided that the interest cost to the Authority, calculated by the use of standard bond interest tables currently in use by insurance companies and investment houses does not exceed four per cent (4%) per annum, and within the discretion of the Board, may be made callable prior to maturity at such times and prices as may be prescribed in the resolution authorizing the bonds or in trust indenture, and may be registerable as to principal or as to both principal and interest.

(c) Bonds may be issued in more than one series and from time to time as required for carrying out the purposes of this Act.

(d) The bonds may be secured by a pledge of all or part of the net revenues of the Authority or of the net revenues of any one or more contracts theretofore or thereafter made or other revenues or incomes specified by resolution of the Board of Directors or the trust indenture. Any such pledge may reserve the right, under conditions therein specified, to issue additional bonds which will be on a parity with or subordinate to the bonds then being issued. The term "net revenues" as used in this section shall mean the gross revenues of the Authority after deduction of the amount necessary to pay the cost of obtaining and operating the Authority and its properties.

(e) It shall be the duty of the Board of Directors to fix, and from time to time revise, the rates of compensation for services rendered by the Authority which will be sufficient to pay the expenses of operating and maintaining the facilities of the Authority to pay the bonds as they shall mature and the interest as it accrues and to maintain the reserve and other funds as provided in the resolution authorizing the bonds or in the trust indenture.

(f) From the proceeds from the sale of the bonds, the Authority may set aside an amount for the payment of interest expected to accrue during construction and one (1) year thereafter, and, in addition thereto, a reserve interest and sinking fund, and such provision may be made in the resolution authorizing the bonds or in the trust indenture. Proceeds from the sale of bonds may also be used for the payment of all expenses incurred in accomplishing the purposes for which this Authority is created.

(g) In the event of a default or a

threatened default in the payment of principal of or interest on bonds payable wholly or partly from revenues, any court of competent jurisdiction may, upon petition of the holders of the outstanding bonds, appoint a receiver with authority to receive and collect all income of the Authority, employ and discharge agents and employees of the Authority, take charge of funds on hand and manage the affairs of the Authority without consent of or hindrance by the Directors. Such receiver may also be authorized to sell or make contracts for the sale of services of the facilities of the Authority or renew such contracts with the approval of the court appointing him. The court may vest the receiver with such other power and duties as it may find necessary for the protection of the holders of the bonds. It is provided, however, that the resolution authorizing the issuance of the bonds or the trust indenture securing their payment may specify the minimum percent of outstanding bonds which must be held by the holders seeking the appointment of a receiver, and may otherwise qualify the right of holders to institute litigation which might affect the Authority's property or funds.

Sec. 10. The Authority is authorized to issue refunding bonds for the purpose of refunding any outstanding bonds authorized by this Act and the interest thereon. Such refunding bonds may be issued to refund more than one series of outstanding bonds and combine the pledges for the outstanding bonds for the security of the refunding bonds, and may be secured by other or additional revenues and mortgage liens. The provisions of this law with reference to the issuance of other bonds, their security and their approval by the Attorney General and the remedies of the holders shall be applicable to refunding bonds provided that no elections shall be necessary to authorize the issuance of refunding bonds. Refunding bonds shall be registered by the Comptroller upon surrender and cancellation of the bonds to be refunded, or in lieu thereof, the resolution authorizing their issuance may provide that they may be sold and the proceeds thereof deposited in the bank where the original bonds are payable, in which case the refunding bonds may be issued in amounts sufficient to pay the principal of and the interest on the original bonds to their option date or maturity date, and the Comptroller shall reg-

ister them without concurrent surrender and cancellation of the original bonds.

Sec. 11. Any bonds, including refunding bonds, payable partly or wholly from a pledge of revenues authorized by this Act may be additionally secured by a mortgage lien upon physical properties of the Authority and all franchises, easements, water rights and appropriation permits, leases, contracts and all rights appurtenant to such properties, vesting in the trustee under the trust indenture power to sell the properties for the payment of the indebtedness, power to operate the properties and all other powers and authority for the further security of the bonds. Any purchaser under a sale under such deed of trust shall be the absolute owner of the properties and facilities so purchased and shall have the right to maintain and operate the same.

Sec. 12. The trust indenture may contain provisions prescribed by the Board of Directors for the security of the bonds and the operation and preservation of the trust estate, and may make provisions for amendment or modification of the trust indenture, and may issue bonds to replace lost or mutilated bonds, and may condition the right to expend Authority money or sell Authority property upon the approval of a registered professional engineer selected as provided herein.

Sec. 13. After any bonds are authorized by the Authority, such bonds and the record relating to their issuance shall be submitted to the Attorney General for his examination as to the validity thereof. Where such bonds recite that they are secured by a pledge of the proceeds of a contract theretofore made by the Authority and any city or governmental agency or district, a copy of such contract and the proceedings of the city or other governmental agency or district authorizing such contract shall also be submitted to the Attorney General. If such bonds have been authorized and if such contracts have been made in accordance with the Constitution and laws of the State of Texas he shall approve the bonds and such contracts, and the bonds then shall be registered by the Comptroller of Public Accounts. Thereafter, the bonds, and the contracts, if any, shall be valid and binding and shall be incontestable for any cause.

Sec. 14. The Authority is authorized

to enter into contracts with cities and others for supplying water and services to them.

Sec. 15 (a) The Board of Directors shall designate one or more banks to serve as depository for the funds of the Authority. All funds of the Authority shall be deposited in such depository bank or banks except that funds pledged to pay bonds may be deposited with the trustee bank or banks named in the trust indenture, and except that funds shall be remitted to the bank for payment of principal of and interest on bonds. To the extent that funds in the depository banks and the trustee banks are not insured by the Federal Deposit Insurance Corporation they shall be secured in the manner provided by law for the security of county funds.

(b) Before designating any depository bank or banks, the Board of Directors shall issue a notice stating the time and place when and where the Board will meet for such purpose and inviting the banks to submit applications to be designated depositories. The terms of service for depositories shall be prescribed by the Board. Such notice shall be published one (1) time in a newspaper published in the City of San Augustine, Texas, at least ten (10) days before the date set for receiving applications.

(c) At the time mentioned in the notice, the Board shall consider the applications and the management and condition of the banks filing them, and shall designate as depositories the bank or banks which offer the most favorable terms and conditions for the handling of the funds of the district and which the board finds have proper management and which are in condition to warrant handling of the Authority funds.

(d) If no application is received by the time stated in the notice or if no application is accepted, the Board shall designate some bank or banks within or without San Augustine County upon such terms and conditions as it may find advantageous to the Authority.

Sec. 16. All bonds of the Authority are and are hereby declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, trustees, guardians, and for the sinking funds of cities, towns, villages, counties, school districts, or other political cor-

porations or subdivisions of the State of Texas. Such bonds shall be eligible to secure the deposit of any and all public funds in the State of Texas, and any and all public funds of the cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas; and such bonds shall be lawful and sufficient security for such deposits to the extent of the par value.

Sec. 17. The Legislature hereby exercises the authority conferred upon it by Section 59, Article XVI of the Constitution and declares that the agency created by this Act is essential to the accomplishment of the purposes of said constitutional provision, including the conservation and utilization of water and the protection of the purity thereof and finds that all of the lands included in said Authority shall and will be benefited thereby.

Sec. 18. The accomplishment of the purposes stated in this Act being for the benefit of the people of this State and for the improvement of their properties and industries, the Authority in carrying out the purposes of this Act will be performing an essential public function under the Constitution and shall not be required to pay any tax or assessment on its properties or any part thereof, and the bonds issued hereunder and their transfer and the income therefrom, including the profits made on the sale thereof, shall at all times be free from taxation within this State.

Sec. 19. If any provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Sec. 20. It is hereby found that notice of intention to apply for the passage of this Act has been published in the locality where the matter and things to be affected hereby are situated, which notice stated the substance of this law, and was published at least thirty (30) days prior to the introduction into the Legislature of this bill in the manner provided by law, and the time, manner and form of giving said notice is hereby approved and ratified.

Sec. 21. The fact that additional sources of water and facilities for distribution thereof are immediately and urgently needed in the Authority

hereby established, creates an emergency and an imperative public necessity requiring that the constitutional rule that bills be read on three several days in each House be suspended, and such rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis

Absent—Excused

Corbin Weinert

Conference Committee Report on House Bill 10

Senator Lock submitted the following Conference Committee Report on House Bill 10:

Austin, Texas,
May 5, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 10, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

LOCK
MARTIN
ROGERS of Travis
ASHLEY
BRACEWELL,
On the part of the Senate.
BRADSHAW
STRICKLAND
NIEMANN
COOPER
SMITH of Tarrant,
On the part of the House.

H. B. No. 10:

A BILL TO BE ENTITLED

"An Act making certain adjustments with respect to the examination of insurance companies and accomplishing this purpose by: amending Article 1.08 of the Insurance Code pertaining to the appointment of Clerks by the Board of Insurance Commissioners; amending Article 1.14 of the Insurance Code pertaining to the issuance of Certificates of Authority, including thereunder additional types of insurance organizations and adding a provision authorizing the Board to inquire into the competence, fitness and reputation of officers and directors of insurance carriers; amending Article 1.15 of the Insurance Code pertaining to the examination of insurance companies and adding a provision as to the determination of value of investments in real estate; amending Article 1.16 of the Insurance Code pertaining to the expenses of examinations and disposition of funds collected; amending Article 1.17 of the Insurance Code pertaining to the appointment by the Board of Examiners and Actuaries and their salaries; amending Article 1.18 of the Insurance Code pertaining to the oath and bond of all examiners and actuaries; amending Article 1.19 pertaining to the duties and powers of the Board in examinations; exempting certain Fraternal Benefit Societies; repealing all conflicting laws and parts of laws to the extent of such conflicts; setting forth a severability clause; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article 1.08 of the Texas Insurance Code, be and is hereby amended to read as follows:

"Article 1.08. Clerks

"Each Commissioner may appoint such clerks as the work of his office may require. Each Commissioner may appoint a Chief Clerk who shall possess all of the power and perform all of the duties attached by law to the office of the appointing Commissioner during the necessary absence of such appointing Commissioner, or his inability to act from any cause. The appointing Commissioner shall be responsible for the acts of his Chief Clerk, who shall, before entering upon the duties of his position, take the oath

required of the appointing Commissioner; each such Chief Clerk may also be required by the Commissioner appointing him to enter into bond with security, payable to said appointing Commissioner, for the faithful performance of the duties of his position.

"All clerks, including the Chief Clerk, shall be removable at the will of the appointing Commissioner."

Sec. 2. That Article 1.14 of the Insurance Code, Acts, 1951, Fifty-second Legislature, page 868, Chapter 491, be and is hereby amended so as to hereafter read as follows:

"Article 1.14. Shall Issue Certificate of Authority

"Section 1. No individual, group of individuals, association or corporation, unless now or hereafter otherwise permitted by statute, shall be permitted to engage in the business of insuring others against those losses which may be insured against under the laws of this State. Should the Board of Insurance Commissioners be satisfied that any insurance carrier applying for a certificate of authority has in all respects fully complied with the law; and that if a stock company, its capital stock and surplus has been fully paid up, that it has the required amount of capital and surplus or surplus to policyholders; it shall be its duty to issue to such carrier a certificate of authority under its seal authorizing such carrier to transact insurance business, naming therein the particular kinds of insurance, for the period of not more than fifteen (15) months, and not extending more than ninety (90) days beyond the last day of February next following the date of said certificate. Provided, however, that each certificate of authority in force at the effective date of this Code shall remain in force until it expires or is revoked or suspended according to law.

"Section 2. The word 'Carrier' as herein used is defined as that type of insurer which, in consideration of premium, issues policies to others insuring against those losses which may be insured against under the provisions of the law, including stock companies, reciprocals or interinsurance exchanges, Lloyd's associations, fraternal benefit societies and mutual companies of all kinds, including statewide assessment associations, local mutual aids, burial associations, and county and farm mutual fire associations. Provided that the Board of Insurance Commissioners shall give preference to applications of domestic

companies in checking and approving annual statements and issuing certificates of authority.

"Section 3. The Board may inquire into the competence, fitness and reputation of the officers and directors of each carrier. If, after inquiry, and based on substantial evidence, it shall appear to the Board that such officers and directors, or any of them, are not worthy of the public confidence, it shall give such carrier notice in writing of its intention to refuse the application for certificate of authority, or to revoke the certificate once granted, stating specifically why the Board intends such action, and the place and time for hearing by the Board, not sooner than ten (10) days nor later than twenty (20) days thereafter.

"After notice and hearing, the Board shall forthwith record in its official minutes its findings and order, which shall be subject to full review in a suit filed in a District Court in Tavis County. The filing of such suit shall operate as a stay of the Board's order until the Court directs otherwise. The Court shall consider all of the facts, and shall hear, try and determine said suit de novo as other civil cases. The Court may modify, affirm or set aside the action of the Board in whole or in part, and shall enter such judgment as the evidence introduced in Court may warrant, including an order directing the Board to take such action as may be justified."

Sec. 3. That Article 1.15 of the Insurance Code, Acts, 1951, Fifty-second Legislature, page 868, Chapter 491, be and the same is hereby amended so as to hereafter read as follows:

"Article 1.15. To Examine Carriers

"Section 1. The Board of Insurance Commissioners shall, once in each six (6) months for the first three (3) years after organization or incorporation, once in each year for the fourth through sixth years after organization or incorporation and thereafter once in each two (2) years, or oftener, if the Board deems necessary, in person or by one or more examiners commissioned by such Board in writing, visit each carrier organized under the laws of this State and examine its financial condition and its ability to meet its liabilities, as well as its compliance with the laws of Texas affecting the conduct of its business; and such Board shall similarly, in person or by one or more commissioned examiners,

visit and examine, either alone or jointly with representative of the insurance supervising departments of other states, each insurance carrier not organized under the laws of this State but authorized to transact business in this State. Such Board or its commissioned examiners shall have free access to all the books and papers of the carrier or agents thereof relating to the business and affairs of such carrier, and shall have power to summon and examine under oath the officers, agents, and employees of such carrier and any other person within the State relative to the affairs of such carrier. Such Board may revoke or modify any certificate of authority issued by such Board or by any predecessor in office when any condition or requirement prescribed by law for granting it no longer exists. Such Board shall give such company at least ten (10) days written notice of its intention to revoke or modify such certificate of authority stating specifically the reason for the action it proposes to take.

"Section 2. The Board of Insurance Commissioners in administering any provision of the Insurance Code, Acts, 1951, Fifty-second Legislature, Chapter 491, shall be authorized and empowered in determining 'value' or 'market value' of any investment in or upon real estate or the improvements thereon by any carrier authorized to do business in the State of Texas to consider any and all matters and things relating thereto, including but not restricted to, appraisals by real estate boards or other qualified persons, affidavits by other persons familiar with such values, tax valuations, cost of acquisition, with proper deductions for depreciation and obsolescence, cost of replacement, sales of other comparable property, enhancement in value from whatever cause, income received or to be received, improvements made or any other factor or any other evidence which to said Board may be deemed proper and material.

"Section 3. Any insurer whose investment in or upon real estate or the improvements thereon may have been determined or found by said Board shall be entitled to make a written request to the Board for a written finding by the Board; and upon such request being made to the Board, the Board shall, within ten (10) days after receipt of such request, enter its written order or finding setting out separately its finding upon each

factor or matter upon which its said determination or finding of 'value' or 'market value' was made and shall in such written order of finding give the names and addresses of all persons who furnished such evidence as to each such matter, factor or thing and upon whom the Board relied in making such determination or finding and shall deliver a copy of such written finding or order to the carrier so requesting the same.

"Section 4. Any rule, regulation, order, decision or finding of the Board under this Act shall be subject to full review in any suit filed by any interested party in any District Court of the State of Texas in Travis County, Texas, and not elsewhere. The filing of such suit shall operate as a stay of any such rule, regulation, order, decision or finding of the Board until the Court directs otherwise. The Court may review all the facts, shall hear, try and determine said suit de novo as other civil cases in said Court; and in disposing of the issues before it, may modify, affirm or reverse the action of the Board in whole or in part."

Sec. 4. That Article 1.16 of the Insurance Code, be and is hereby amended to read as follows:

"Article 1.16. Expenses of Examinations; Disposition of Sums Collected

"The expenses of all examinations of domestic insurance companies made on behalf of the State of Texas by the Board of Insurance Commissioners or under its authority shall be paid by the corporations examined in such amount as the Board of Insurance Commissioners shall certify to be just and reasonable.

"Assessments for the expenses of such domestic examination which shall be sufficient to meet all the expenses and disbursements necessary to comply with the provisions of the laws of Texas relating to the examination of insurance companies and to comply with the provisions of this Article and Articles 1.17 and 1.18 of this Code, shall be made by the Board of Insurance Commissioners upon the corporations or associations to be examined taking into consideration annual premium receipts, and/or admitted assets and/or insurance in force; provided such assessments shall be made and collected only at the time such examinations are made.

"All sums collected by the Board of Insurance Commissioners, or under its authority, on account of the cost of examinations assessed as hereinabove provided for shall be paid into

the State Treasury to the credit of the Insurance Examination Fund; and the salaries and expenses of the actuary of the Board of Insurance Commissioners and of the examiners and assistants, and all other expenses of such examinations, shall be paid upon the certificate of the Board of Insurance Commissioners by warrant of the Comptroller drawn upon such fund in the State Treasury.

"If at any time it shall appear that additional pro rata assessments are necessary to cover all of the expenses and disbursements required by law and necessary to comply with this Article and Articles 1.17 and 1.18 of this Code, the same shall be made, and any surplus arising from any and all such assessments, over and above such expenses and disbursements, shall be applied in reduction of subsequent assessments in the proportion assessed so that there shall be so assessed and collected the funds necessary to meet such expenses and disbursements and no more.

"In case of an examination of a company not organized under the laws of Texas, whether such examination is made by the Texas authorities alone, or jointly with the insurance supervisory authorities of another state or states, the expenses of such examination due to Texas' participation therein, shall be borne by the company under examination. Payment of such cost shall be made by the company upon presentation of itemized written statement by the Board of Insurance Commissioners, and shall consist of the examiners' remuneration and expenses, and the other expenses of the Department of Insurance properly allocable to the examination. Payment shall be made directly to the Board of Insurance Commissioners, and all money collected by assessment on foreign companies for the cost of examination shall be deposited in the State Treasury by the Board of Insurance Commissioners to the credit of the Insurance Examination Fund out of which shall be paid, by warrant of the State Comptroller of Public Accounts on voucher of the Board of Insurance Commissioners, the examiners' remuneration and expenses in the amounts determined by the method hereinafter provided, when verified by their affidavit and approved by the Board of Insurance Commissioners; and said money is hereby appropriated for that purpose, the balance, if any, to remain in the Insurance Examination Fund in the State Treasury subject

to be expended for the purposes as are other funds placed therein. Examiners' remuneration and expenses shall be the same as that which would be paid by the home state of a company under examination to persons conducting the examination of a Texas company admitted to do business in that State. If there be no recognized charge for such service, the Board of Insurance Commissioners shall fix the remuneration and expense allowance of the examiners at such reasonable figure as it may determine."

Sec. 5. That Article 1.17 of the Insurance Code, be and is hereby amended to read as follows:

"Article 1.17. Appointment of Examiners and Assistants and Actuary by Board of Insurance Commissioners; Salaries

"The Board of Insurance Commissioners shall appoint such number of examiners, one of whom shall be the chief examiner, and such number of assistants as it may deem necessary for the purpose of making on behalf of the State of Texas and of the Board of Insurance Commissioners all such examinations of insurance companies, at the expense of such companies or corporations, as are required to be made or provided for by law; and it shall also appoint an actuary to the Board of Insurance Commissioners to advise the Board in connection with the performance of its duties and for aid and advice and counsel in connection with all such examinations required by law. Such examiners and assistants shall, as directed by the Board of Insurance Commissioners, perform all the duties relative to all examinations provided by law to be made by the Board of Insurance Commissioners of the State of Texas, and it is the purpose of this Article and Articles 1.16 and 1.18 of this Code to provide for the examination hereunder by the Board of Insurance Commissioners of all corporations, firms or persons engaged in the business of writing insurance of any kind in this State whether now subject to the supervision of the Insurance Department or not.

"All such examiners and assistants and such actuary shall hold office subject to the will of the Board of Insurance Commissioners and the number of such examiners and assistants may be increased or decreased from time to time to suit the needs of the examining work. The actuary and all such examiners and assistants shall be paid out of the Insurance Exami-

nation Fund, such salaries as shall be fixed from time to time by the Legislature, and their necessary traveling expenses shall be paid out of said Fund upon sworn, itemized accounts thereof, to be rendered monthly and approved by the Board of Insurance Commissioners before payment.

"Where the Board of Insurance Commissioners shall deem it advisable it may commission the actuary of the Board, the chief examiner, or any other examiner or employee of the Department, or any other person, to conduct or assist in the examination of any company not organized under the laws of Texas and allow them compensation as herein provided, except that they may not be otherwise compensated during the time they are assigned to such foreign company examinations. Other than as thus provided, neither the actuary of the Board of Insurance Commissioners nor any examiner or assistant shall continue to serve as such if, while holding such position, he shall directly or indirectly accept from any insurance company any employment or pay or compensation or gratuity on account of any service rendered or to be rendered on any account whatsoever."

Sec. 6. That Article 1.18 of the Insurance Code, be and is hereby amended to read as follows:

"Article 1.18. Oath and Bond of Examiners and Assistants; Action on Bond for False Reports

"Each examiner and assistant examiner, before entering upon the duties of his appointment shall take and file in the office of the Secretary of State an oath to support the Constitution of this State, to faithfully demean himself in office, to make fair and impartial examinations, and that he will not accept as presents or emoluments any pay, directly or indirectly, for the discharge of his duty, other than the remuneration fixed and accorded to him by law; and that he will not reveal the condition of, nor any information secured in the course of any examination of any corporation, firm or person examined by him, to anyone except the Members of the Board of Insurance Commissioners, or their authorized representatives, or when required as witness in Court.

"Every such examiner shall enter into a bond payable to the State in the sum of Ten Thousand Dollars (\$10,000) and every assistant exam-

iner shall enter into a bond in the sum of Five Thousand Dollars (\$5,000), to be approved by the Board of Insurance Commissioners and deposited in the office of the State Comptroller, conditioned that he will faithfully perform his duties as such examiner.

"In case any such examiner or assistant examiner shall knowingly make any false report or give any information in violation of law relative to any such examination of any corporation, firm or person so examined, any such corporation, firm or person shall have a right of action on such bond for his injuries in a suit brought in the name of the State at the relation of the injured party."

Sec. 7. That Article 1.19 of the Insurance Code, be and is hereby amended to read as follows:

"Article 1.19. In Case of Examination

"The Board of Insurance Commissioners for the purpose of examination authorized by law, has power either in person or by one or more examiners by it commissioned in writing:

"1. To require free access to all books and papers within this State of any insurance companies, or the agents thereof, doing business within this State.

"2. To summon and examine any person within this State, under oath, which it or any examiner may administer, relative to the affairs and conditions of any insurance company.

"3. To visit at its principal office, wherever situated, any insurance company doing business in this State, for the purpose of investigating its affairs and conditions, and shall revoke the certificate of authority of any such company in this State refusing to permit such examination. The reasonable expenses of all such examinations shall be paid by the company examined.

"The Board may revoke or modify any certificate of authority issued by it when any conditions prescribed by law for granting it no longer exist.

"The Board shall also have power to institute suits and prosecutions, either by the Attorney General or such other attorneys as the Attorney General may designate, for any violations of the law of this State relating to insurance. No action shall be brought or maintained by any person other than the Board for closing up the affairs or to enjoin, restrain or

interfere with the prosecution of the business of any such insurance company organized under the laws of this State."

Sec. 8. Provided, however, that Fraternal Benefit Societies that sell insurance policies only as an incidental benefit to their members and which are now so organized and licensed by the Board of Insurance Commissioners of Texas or which are now exempted under the provisions of Article 10.38 of the Insurance Code are hereby exempted from the provisions of this Act.

Sec. 9. Provided, however, that all expenditures by the Board of Insurance Commissioners of Texas shall after September 1, 1955, be only as provided in the General Appropriation Act of the Legislature.

Sec. 10. If any part, section, subsection, paragraph, sentence, clause, phrase, or word contained in this Act shall be held by the Courts to be unconstitutional, such holding shall not affect the validity of the remaining portions of the Act, and the Legislature hereby declares that it would have passed such remaining portions despite such invalidity.

Sec. 11. All laws and parts of laws in conflict with this Act are hereby repealed to the extent of such conflict only.

Sec. 12. The public importance of the purposes herein contemplated creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule requiring bills to be read upon three several days in each House; and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

Yeas—29

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Ratliff
Hazlewood	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman
Martin	Strauss

Wagonseller Willis

Absent—Excused

Corbin Weinert

Conference Committee on House Bill 670

Senator Kelley called from the President's table for consideration at this time the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 670, and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Kelley, Aikin, Parkhouse, Shireman and Latimer.

Senate Bill 295 with House Amendments

Senator Owen called S. B. No. 295 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Owen moved that the Senate concur in the House amendments.

The motion prevailed.

Record of Votes

Senators Martin, Hardeman, Aikin, Colson, Moffett and Lane asked to be recorded as voting "nay" on the concurrence in the House amendments to S. B. No. 295.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 331, A bill to be entitled "An Act creating a Conservation District under Article XVI, Section 59, of the Constitution, comprising certain territory contained within Travis County, Texas, and is empowered to acquire, purchase, or construct sanitary and storm sewer system or systems and additions, extensions or improvements thereto and to acquire or

purchase all equipment and facilities necessary therefor, and to develop, acquire, purchase, and contract for the purchase of necessary water to be used in connection therewith and to purchase or acquire all necessary lands, easements or rights-of-way for any and all the foregoing purposes; etc.; and declaring an emergency."

S. B. No. 156, A bill to be entitled "An Act amending House Bill 275, Chapter 125, Acts of the 52nd Legislature, Regular Session, in order to add the Counties of Bosque and Somervell to the Act, to the limited extent of regulating the killing and taking of deer, including both buck deer and doe deer or hornless deer; repealing all acts in conflict herewith to the extent of the conflict only; providing a saving clause; and declaring an emergency."

S. B. No. 393, A bill to be entitled "An Act limiting the provisions of this Act to the County of Lavaca, making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess, or to attempt to hunt, take, kill or possess, any deer or wild turkey in said county, by any means or method; prescribing the legislative policy with respect to these wildlife resources in said county, conferring upon the Game and Fish Commission authority to regulate, by proclamation, order, rule or regulation, the taking of deer or wild turkey from said county; requiring the Game and Fish Commission to make investigations with respect to the depletion and waste of these wildlife resources of said county; requiring the Commission to provide an open season or period of time when it shall be lawful to take a portion of such resources; defining depletion and waste; providing for the taking of doe deer; providing that public hearings be held; providing for the adoption of proclamations, orders, rules and regulations of the Game and Fish Commission; providing for the effective period of regulations; providing for publication of the regulations; etc., and declaring an emergency."

S. B. No. 241, A bill to be entitled "An Act amending Chapter 95, Acts of the 51st Legislature, Regular Session, 1949, as amended, codified as Article 4590c in Vernon's Texas Civil Statutes and commonly known as the Basic Sciences Law; amending Section 4 so as to combine the offices

of Secretary and Treasurer of the State Board of Examiners in Basic Sciences into the single office of Secretary-Treasurer; amending Section 5 so as to require fee payments by applicants for certification by waiver of examination; amending Section 8 so as to clarify certification by reciprocity; providing a severability clause; and declaring an emergency."

S. B. No. 207, A bill to be entitled "An Act to amend Subsection A of Section 5 of Chapter 352, Acts of the 50th Legislature, 1947, as amended by Chapter 361, Acts of the 53rd Legislature, Regular Session, 1953, regulating retirement compensation for state employees, and codified as Article 6228a in Vernon's Texas Civil Statutes, by adding a provision entitling employees of the State Prison System to their service retirement allowance who shall have completed twenty years or more creditable service; etc., and declaring an emergency."

S. B. No. 391, A bill to be entitled "An Act creating a Conservation and Reclamation District under the provisions of Section 59, Article 16 of the Constitution of Texas, to be known as 'Colorado County Water Control and Improvement District No. 1'; prescribing its powers and duties and providing for a governing body thereof; making the District subject to the statutes relating to water control and improvement districts except as otherwise provided; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 196, A bill to be entitled "An Act amending Subsection (a) of Section 104 of Chapter 421 of the Acts of the 50th Legislature, 1947, as amended, being Subsection (a) of Section 104 of Article 6701d of Vernon's Civil Statutes, to require vehicles to stop before passing a stopped school bus on any highway outside of any incorporated city or town, and then proceeding to pass in certain manner only; and declaring an emergency."

S. B. No. 303, A bill to be entitled "An Act amending Subsection G of Section 5 of H. B. 168, Chapter 352, Acts of the 50th Legislature, Regular Session, 1947, as amended, and declaring an emergency."

S. B. No. 346, A bill to be entitled "An Act to amend Section 8 of Senate Bill 455, Acts of the Forty-seventh Legislature, Regular Session, so as to

more clearly define the intent of the present law as it pertains to the growing and taking of minnows from the public fresh waters of Hamilton County, Texas; specifically exempting the owners of private ponds and tanks in Hamilton County from the provisions of said Act; repealing all laws and parts of laws in conflict; and declaring an emergency."

S. B. No. 417, A bill to be entitled "An Act creating a Juvenile Board for Waller County and designating the chairman thereof; providing additional compensation for county and district judges serving thereon; stating the effect of this act on existing laws; and declaring an emergency."

S. B. No. 415, A bill to be entitled "An Act providing that it shall be unlawful to kill wild turkey in Shelby and Panola Counties for a period of five (5) years from and after the passage of this Act; repealing all laws in conflict; providing a penalty; and declaring an emergency."

S. B. No. 414, A bill to be entitled "An Act pertaining to compensation of employees of certain county and precinct officials in counties with a population of not less than five hundred thousand (500,000) inhabitants, nor more than six hundred and ten thousand (610,000) inhabitants, and the justice precincts in such counties having a population of not less than three hundred thousand (300,000) inhabitants in such precincts, according to the last preceding or any future Federal census and who are compensated on a salary basis; etc.; and declaring an emergency."

S. B. No. 403, A bill to be entitled "An Act amending Chapter 64, Acts of the Fifty-third Legislature by making such Act applicable to revenue bonds hereafter voted as well as to those heretofore voted; and declaring an emergency."

S. B. No. 402, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 29, Article 16, of the Constitution, to be known as 'Boling Municipal Water District'; setting forth certain powers of said district; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 48, A bill to be entitled "An Act amending Section 2 of Chapter 88, General Laws of the

41st Legislature, Second Called Session, 1929, as amended (codified as Article 6675a-2 in Vernon's Civil Statutes), so as to exempt from registration vehicles which are designed and used exclusively for fire-fighting; and declaring an emergency."

S. B. No. 399, A bill to be entitled "An Act creating Shelby County Water Supply District; providing for its organization and governing body; prescribing its powers, authority, functions, duties and privileges; providing a severability clause; and declaring an emergency."

S. B. No. 374, A bill to be entitled "An Act providing that no oil, gas and mineral lease, or oil and gas lease, now in existence and which was granted by any political subdivision of the State, city, town, village, county, school district, water control and improvement district, water control and preservation district, water control district, water improvement district, water power control district, water supply district or irrigation district, for a valid consideration, shall be cancelled or held voidable or invalid because the lessor in such lease or leases has heretofore failed to give notice by newspaper publication of the intent to grant such lease or leases and that competitive bids for such lease or leases would be received, provided that any such lease or leases are not void or voidable for any other cause, and providing that nothing herein contained shall be construed as affecting pending litigation; and declaring an emergency."

S. B. No. 377, A bill to be entitled "An Act authorizing parts of county line school districts to be annexed to adjacent junior college districts for junior college purposes only; defining county line school districts; providing invalidity of portion of the Act shall not affect validity of remainder; and declaring an emergency."

S. B. No. 354, A bill to be entitled "An Act giving to George Parchman and wife, Leona Parchman, consent of the Legislature to sue the State of Texas, Texas State Highway Department and/or Texas State Highway Commission for the alleged taking of their lands and improvements thereon for public use by the Texas State Highway Department and for damages to 13 acres of land, more or less, and improvements thereon, situated in Franklin County, Texas, allegedly

resulting from the construction of State Highway Number 1, U. S. Highway Number 67, its subsequent maintenance, and the changes made in pre-existing water drainage facilities, which highway runs through Franklin County, Texas; providing that suit may be brought in a court of competent jurisdiction in Franklin County, Texas; providing a savings clause; providing for service of process; and declaring an emergency."

S. C. R. No. 58, Enrolling Clerk to make corrections in S. B. No. 273.

S. C. R. No. 45, Requesting Legislative Council to study needs for care and treatment of criminally insane.

S. C. R. No. 59, Enrolling Clerk to make certain corrections in S. B. No. 127 and S. B. No. 395.

H. C. R. No. 106, Setting aside Mud Island, Brazoria County, Texas, as a State Park.

H. C. R. No. 77, Granting Evelyn Hornsby Mims, and J. L. Mims permission to sue the Veterans Land Board of the State of Texas and the State of Texas.

H. C. R. No. 146, Suspending the Joint Rules so as to permit the House to hold a local and uncontested bill calendar on Thursday, May 5, 1955.

Senate Bill 430 on Second Reading

On motion of Senator Rogers of Travis, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 430, A bill to be entitled "An Act amending Article 653, R. C. S., 1925, providing that purchases and contracts awarded by the Board of Control for every State agency of any kind or character, shall be of the kind and type as requisitioned; providing that the specifications and conditions in such requisitions shall be subject to approval by the Board of Control; providing that any receiving agency of the State receiving items, supplies, equipment, or services shall inspect the same and if, in the opinion of the receiving agency, any of the items, supplies, equipment, or services do not meet specifications, such receiving agency is to notify the Board of Control in writing, setting forth reasons and particulars wherein specifications

are not met; providing that the duty and power to determine whether such items, supplies, equipment, or services comply with specifications shall rest with the Board of Control; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 430 on Third Reading

Senator Rogers of Travis moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 430 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Wagonseller
Martin	Willis
McDonald	

Absent

Strauss

Absent—Excused

Corbin

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Colson	Moffett
Fly	Moore
Fuller	Owen
Hardeman	Parkhouse
Hazlewood	Phillips
Kazen	Ratliff
Kelley	Roberts
Lane	Rogers
Latimer	of Childress

Rogers of Travis Wagonseller
Secrest Willis
Shireman

Absent

Strauss

Absent—Excused

Corbin Weinert

Senate Bill 424 on Second Reading

On motion of Senator Colson, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 424, A bill to be entitled "An Act amending Section 1 of Chapter 463, Acts of the 51st Legislature, Regular Session, codified in Vernon's Civil Statutes as Article 6077p, authorizing the State Parks Board to sell timber from lands comprising the Huntsville State Park, providing a severability clause; providing a repealing clause and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "nay" on the passage of S. B. No. 424 to engrossment.

Senate Bill 424 on Third Reading

Senator Colson moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 424 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Fuller	Ratliff
Kazen	Roberts
Kelley	Rogers
Lane	of Childress
Latimer	Rogers of Travis
Lock	Secrest
McDonald	Wagonseller
Moffett	Willis

Nays—3

Fly Martin
Hardeman

Absent

Hazlewood Strauss
Shireman

Absent—Excused

Corbin Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—22

Aikin	Moore
Ashley	Owen
Colson	Parkhouse
Fuller	Phillips
Hazlewood	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Wagonseller
McDonald	Willis
Moffett	

Nays—3

Fly Martin
Hardeman

Absent

Bracewell Shireman
Ratliff Strauss

Absent—Excused

Corbin Weinert

Motion to Place Senate Bill 119 on Third Reading

Senator Secrest asked unanimous consent to suspend the regular order of business and take up S. B. No. 119 for consideration at this time.

There was objection.

Senator Secrest then moved to suspend the regular order of business and take up S. B. No. 119 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—16

Bracewell Fly

Fuller	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Moore	Secrest
Owen	Shireman
Phillips	Strauss
Roberts	Wagonseller
	Willis

Nays—9

Aikin	Lock
Ashley	McDonald
Hardeman	Parkhouse
Kelley	Ratliff
Lane	

Absent

Colson	Martin
Latimer	Moffett

Absent—Excused

Corbin	Weinert
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Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 6, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 57, A bill to be entitled "An Act amending Articles 6205 and 6221 of the Revised Civil Statutes of 1925 to remove age and other restrictions as to receiving of pensions by Confederate Veterans and their widows, and to increase the amount of payments; repealing Article 6214 so as to remove the requirements of indigency as a qualification for such pensions; and declaring an emergency."

H. B. No. 328, A bill to be entitled "An Act providing for the furnishing, use, and disposition of equipment, materials, and merchandise for use in occupational therapy programs; providing for the sale of goods so produced; providing for disposition of funds realized from such sales; and declaring an emergency."

H. B. No. 618, A bill to be entitled "An Act to define Pension Trusts; to provide that Pension Trusts are

Trusts within the meaning of the Texas Trust Act; to provide that such Pension Trusts shall not be deemed perpetuities nor unreasonable accumulations; to declare the effect of this Act upon Pension Trusts created under the Laws of this State and those created elsewhere; to express the intent of the Legislature in passing this Act; and declaring an emergency."

H. B. No. 822, A bill to be entitled "An Act amending Article 6.09 and Article 6.10 of the Insurance Code of Texas, 1951, so as to authorize the liquidator or receiver of an insolvent insurer not organized under the laws of this State to collect and use the proceeds of bonds filed by such insurer with the Board of Insurance Commissioners under the provisions of Article 6.09 and Article 6.10 of the Insurance Code of Texas, 1951, to pay the claims of creditors, claimants, and policyholders of such insurers, and expenses incidental thereto; repealing all laws or parts of laws in conflict to the extent of such conflict; and declaring an emergency."

H. B. No. 860, A bill to be entitled "An Act making it unlawful to hunt deer with dogs in Nacogdoches, Sabine and San Augustine Counties; repealing Chapter 384, Acts of the 51st Legislature, Regular Session, 1949, and amending Section 1 of Chapter 409, Acts of the 53rd Legislature, Regular Session, 1953; and declaring an emergency."

H. B. No. 926, A bill to be entitled "An Act amending Article 634, Revised Civil Statutes of Texas, 1925 as amended, by adding a provision requiring the State Board of Control to purchase manufactured products of visually handicapped persons or workshops for the blind under certain circumstances; and declaring an emergency."

H. B. No. 913, A bill to be entitled "An Act amending Section 1 of Chapter 84, Acts of 1951, 52nd Legislature of Texas, so as to provide that any county may enter into long term contracts with any agency, district or municipal corporation of the State where revenues derived from such contract by any such agency, district or municipal corporation may be pledged to the payment of revenue bonds issued by any such agency, dis-

strict or municipal corporation; providing that provisions of this Act shall control when in conflict with other laws and declaring an emergency."

H. B. No. 15, A bill to be entitled "An Act amending Section 6 of Chapter 68, Acts of the Regular Session of the Thirty-second Legislature as amended by Chapter 183, Acts of the Regular Session of the Thirty-ninth Legislature (Article 4053d, Vernon's Civil Statutes of Texas); and declaring an emergency."

H. B. No. 935, A bill to be entitled "Authorizing the Commissioners Court of any county of this State having a river flowing through or forming a part of its boundary to expend county funds for the purpose of making surveys of water resources, upon approval of such expenditure at an election; providing for the election; providing a saving clause; and declaring an emergency."

H. B. No. 939, A bill to be entitled "Relating to the open season and bag and possession limits for squirrel in Johnson County; and declaring an emergency."

H. B. No. 942, A bill to be entitled "Closing the deer season in Commissioners Precinct No. 4 of Burleson County for a period of five (5) years; providing a penalty for violation of the Act; suspending conflicting laws; and declaring an emergency."

H. B. No. 940, A bill to be entitled "Creating Upper Jasper County Water Authority; providing for its organization and governing body; prescribing its powers, authority, functions, duties and privileges, etc.; and declaring an emergency."

S. B. No. 311, A bill to be entitled "An Act creating the office of Commissioner of Health and abolishing the office of State Health Officer; defining duties; repealing conflicting laws; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 164 by viva voce vote.

The House has concurred in Senate amendments to H. C. R. No. 32 by viva voce vote.

The House has granted the request of the Senate for the appointment of

a Conference Committee on Senate Bill No. 154.

H. B. No. 247, A bill to be entitled "An Act providing that if any person who shall drive or operate an automobile or other motor vehicle upon the public roads, highways, streets, or alleys in this State while under the influence of a narcotic drug shall, through accident or mistake do an act which, if voluntarily done, would be a felony, shall receive punishment affixed to such felony offense, except under certain conditions, and declaring an emergency."

H. B. No. 467, A bill to be entitled "An Act to amend Section 2 and Section 26 of the Veterans' Land Board—Veterans' Land Fund Act, being Chapter 318, Acts of the 51st Legislature, Regular Session, 1949, as amended, so as to define the duties of the Veterans' Land Board; creating the Veterans' Land Commission and defining the duties of the Commission; providing for compensation to be paid the Commissioners; making the Act cumulative but controlling; and declaring an emergency."

H. B. No. 638, A bill to be entitled "An Act amending subsection (c) of Section 1 of Article 14.61 of the Insurance Code, relating to conversion, or reinsurance of certain insurance associations into legal reserve companies, to prohibit change in renewability or noncancelability of existing insurance policies and other agreements and certificates; to require explanation of cancellation features with all policies; and declaring an emergency."

H. B. No. 775, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16 of the Constitution to be known as 'Travis-Williamson County Water Control and Improvement District No. 1'; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 341, A bill to be entitled "An Act to amend the Veterans' Land Board-Veterans' Land Fund Act, being Chapter 318, Acts of the 51st Legislature, Regular Session, 1949, as amended by Chapter 351, Acts of the 52nd Legislature, Regular Session, 1951, by adding a new section thereto to be known as Section 10 (A) requiring an appraisalment of all lands purchased by the Board,

providing qualifications for an appraiser, requiring a sworn report of certain matters by the appraiser, requiring approval or disapproval of the appraisal by a committee of county officers; adding a new section thereto to be known as Section 10 (B) requiring a sworn statement of certain matters to be filed by the seller of lands to the Board; amending Section 17 thereof so as to prevent transfer, sale, or conveyance of land until the entire indebtedness due the Board is paid, providing for restrictions on the veteran's right to lease and declaring any lease or instrument in violation thereof to be void; adding a new section thereto to be known as Section 21 (A) authorizing the Board to make investigations, to take copies of instruments showing fraud or other violations, to issue subpoena duces tecum, providing penalties, forfeiture, and presumption of fraud, for failure to comply; amending Section 24 thereof to require the Board to cause to be published a pamphlet and making it available; adding a new section thereto to be known as Section 32 providing penalties for violations of the Act; providing for severability; making the act cumulative; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Bill 272 on Second Reading

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 272, A bill to be entitled "An Act amending and revising Article 9.11 of Chapter 9 of the Insurance Code, Acts of the Fifty-second Legislature, Regular Session, 1951, Chapter 491, providing that every company, foreign and domestic, doing a title insurance business shall establish, segregate and maintain an unearned premium or reinsurance reserve which shall at all times and for all purposes be deemed and shall constitute unearned portions of the original premiums and shall be charged as a reserve liability of such company in determining its financial condition; such reserve to be cumulative and consist of the reserve required to be established by such companies up to the effective date of this Act, etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 272 on Third Reading

Senator Lock moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 272 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Owen
Ashley	Parkhouse
Bracewell	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Lock	Shireman
McDonald	Strauss
Moffett	Willis
Moore	

Absent

Colson	Martin
Hardeman	Wagonseller
Latimer	

Absent—Excused

Corbin	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Committee Substitute Senate Concurrent Resolution 23 on Second Reading

Senator Bracewell asked unanimous consent to suspend the regular order of business and take up C. S. S. C. R. No. 23 for consideration at this time.

There was objection.

Senator Bracewell then moved to suspend the regular order of business and take up C. S. S. C. R. No. 23 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Fly
Ashley	Fuller
Bracewell	Hardeman
Colson	Hazlewood

Kazen	Roberts
Kelley	Rogers
Latimer	of Childress
Lock	Rogers of Travis
Martin	Secrest
McDonald	Shireman
Moffett	Strauss
Phillips	Willis
Ratliff	

Nays—4

Lane	Parkhouse
Owen	Wagonseller

Absent

Moore

Absent—Excused

Corbin Weinert

The President laid before the Senate on its second reading the following resolution:

C. S. S. C. R. No. 23, Amending Joint Rules of the Senate and House of Representatives.

The resolution was read the second time.

Senator Bracewell offered the following amendment to the resolution:

Amend S. C. R. No. 23 by striking out the words and figures "forty-five (45)" and substituting therefor the words and figures "thirty (30)."

The amendment was adopted.

Senator Willis offered the following amendment to the resolution:

Amend S. C. R. No. 23 by striking from lines 18 and 19 of the printed resolution the following:

"No committee shall consider any bill except the following:" and substituting in lieu thereof the following: "All committees shall give priority to the following:"

On motion of Senator Bracewell the amendment was tabled by the following vote:

Yeas—23

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	

Nays—4

Owen	Wagonseller
Parkhouse	Willis

Absent

Hazlewood	Rogers of Childress
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Absent—Excused

Corbin Weinert

Senator Roberts offered the following amendment to the resolution:

Amend S. C. R. No. 23 by adding at the end the following language:

"This rule may be suspended by either the passage of a concurrent resolution by both Houses or by an affirmative vote of two-thirds (2/3) of the membership of such committee."

The amendment was adopted.

Question—Shall C. S. S. C. R. No. 23 as amended be adopted?

Conference Committee on
House Bill 368

Senator Kelley called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 368 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate:

Senators Kelley, Strauss, Kazen, Moffett and Moore.

Conference Committee on
House Bill 366

Senator Kelley called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 366 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Kelley, Strauss, Kazen, Moffett and Moore.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House were read first time and referred to the committees indicated:

H. B. No. 935, to Committee on Counties and County Boundaries.

H. B. No. 775, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 913, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 942, to Committee on Game and Fish.

H. B. No. 328, to Committee on State Affairs.

H. B. No. 638, to Committee on Insurance.

H. B. No. 247, to Committee on Criminal Jurisprudence.

H. B. No. 940, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 939, to Committee on Game and Fish.

H. B. No. 15, to Committee on Game and Fish.

H. B. No. 926, to Committee on State Affairs.

H. B. No. 860, to Committee on Game and Fish.

H. B. No. 822, to Committee on Insurance.

H. B. No. 618, to Committee on State Affairs.

H. B. No. 57, to Committee on State Affairs.

H. B. No. 148, to Committee on Civil Jurisprudence.

H. B. No. 500, to Committee on Criminal Jurisprudence.

H. B. No. 62, to Committee on State Affairs.

H. B. No. 604, to Committee on Civil Jurisprudence.

H. B. No. 467, to Committee on State Affairs.

H. B. No. 341, to Committee on State Affairs.

H. C. R. No. 100, to Committee on Civil Jurisprudence.

H. C. R. No. 90, to Committee on Civil Jurisprudence.

H. C. R. No. 142, to Committee on Civil Jurisprudence.

H. C. R. No. 126, to Committee on Civil Jurisprudence.

H. C. R. No. 116, to Committee on Civil Jurisprudence.

H. C. R. No. 97, to Committee on Civil Jurisprudence.

H. B. No. 673, to Committee on Insurance.

H. J. R. No. 35, to Committee on Constitutional Amendments.

H. J. R. No. 44 to Committee on Constitutional Amendments.

H. J. R. No. 33, to Committee on Constitutional Amendments.

Senate Resolution 333

Senator Latimer offered the following resolution:

Whereas, We are honored today to have in the gallery the 10th Grade Class of the West San Antonio Heights School of San Antonio, Texas, accompanied by their teacher, Mrs. E. L. Crenshaw; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Latimer, by unanimous consent, presented the students and Mrs. Crenshaw to the Members of the Senate.

Report of Standing Committee

Senator Fly, by unanimous consent, submitted the following report:

Austin, Texas,
May 9, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 935, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

House Concurrent Resolution 101 on Second Reading

On motion of Senator Martin, and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 101, Designating a State Agency to obtain from the Federal Government by gifts and grants badly needed war surplus materials for use and benefit of public schools and institutions of higher learning.

The resolution was read second time and was adopted.

Local and Uncontested Bill Session

On motion of Senator Martin, and by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bill Calendar on Tuesday, May 10, 1955, at 9:30 o'clock a. m.

Recess

On motion of Senator Hardeman, the Senate, at 12:25 o'clock p. m., took recess until 9:30 o'clock a. m. tomorrow.

FIFTY-EIGHTH DAY

(Continued)

(Tuesday, May 10, 1955)

After Recess

The Senate met at 9:30 o'clock a. m., and was called to order by the President.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

S. C. R. No. 26, Granting Independent Natural Gas Co. permission to sue the State. (With amendment.)

S. C. R. No. 27, Granting Wheeler Gas Co. permission to sue the State. (With amendment.)

S. C. R. No. 29, Providing for care, custody and control of San Jacinto Memorial Tower, etc.

S. C. R. No. 35, Granting Thomas L. Wade and/or Texas Gas & Power Corporation permission to sue the State, etc. (With amendment.)

S. C. R. No. 37, Granting W. D. Anderson permission to sue the State. (With amendment.)

S. C. R. No. 42, Granting R. O. Peterson permission to sue the State.

S. C. R. No. 46, Regarding appointment of Commission to study consolidation of governmental functions in Harris County.

S. C. R. No. 47, Requesting the Texas Legislative Council to study the Constitution and Laws of this State relating to the status of women and their rights and privileges.

S. C. R. No. 50, Granting permission to H. A. McKnight, et al., to sue the State.

S. C. R. No. 52, Urging completion of the Pan-American Highway.

S. C. R. No. 61, That the Legislature join with the Texas State Board of Education in designating the week of March 5-10, 1956 as Public Schools Week in Texas.

S. C. R. No. 63, Commemorating publisher and author of "David Crockett."

H. C. R. No. 121, Requesting the Texas Legislative Council to make a study of the feasibility of holding annual Sessions of the Legislature and to report its findings to the Fifty-fifth Legislature.

S. B. No. 3, A bill to be entitled "An Act amending Article 7477, Chapter 1 of Title 128 of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the 53rd Legislature, 1953, Chapter 357, Section 1; abolishing the Board of Water Engineers of the